

Message Text

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SUBJECT: APPEARANCE BY USUN OFFICER AT PRE-TRIAL HEARING
IN US COURT

1. OFFICE OF THE UNITED STATES ATTORNEY FOR SOUTHERN DISTRICT OF NEW YORK HAS REQUESTED USUN ADVISER, SOL KUTTNER, TO APPEAR AT PRE-TRIAL HEARING ON OCTOBER 8, 1976 BEFORE FEDERAL JUDGE THOMAS GRIESA IN CASE OF U.S. VS. ANTONIO GEVERO, A FORMER PHILIPPINE MISSION STAFF MEMBER WHO IS CHARGED WITH BRIBING A U.S. IMMIGRATION OFFICER.

2. ACCORDING TO ASSISTANT U.S. ATTORNEY RESPONSIBLE FOR PROSECUTION OF CASE, KUTTNER WILL BE REQUESTED TO RESPOND TO QUESTIONS JUDGE GRIESA DESIRES ANSWERED IN CONNECTION WITH CLAIM MADE BY GEVERO THAT HE WAS IN POSSESSION OF DIPLOMATIC PRIVILEGES AND IMMUNITIES UNDER SECTION 15 OF THE HEADQUARTERS AGREEMENT AT THE TIME BRIBERY IS ALLEGED TO HAVE TAKEN PLACE. IF PERMITTED TO TESTIFY, KUTTNER INTENDS TO EXPLAIN TO JUDGE GRIESA WHY GEVERO DID NOT, REPEAT NOT, HAVE DIPLOMATIC IMMUNITY AT TIME OF ALLEGED BRIBERY.

3. DEPARTMENT'S PERMISSION FOR KUTTNER'S APPEARANCE IN COURT IS REQUESTED.
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